

REMARKS

Claims 1-9 and 11-48 are pending in the application. Claims 1 and 4 have been amended. Claim 10 has been cancelled. Care has been taken to avoid the introduction of new matter.

The abstract of the disclosure has been objected to because it has not been presented on a separate sheet in the application. Applicant believes this objection was made in error, since the Applicant's files show the abstract presented on a separate sheet. Nevertheless, to expedite prosecution, the abstract is being re-presented herein on a separate sheet. Applicants believes this amendment is fully responsive to the Examiner's concerns.

Claims 1-3 and 10-48 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,547,069 (Pritchard) in view of U.S. Patent No. 4,589,542 (Steadman). This rejection is respectfully traversed. Applicant hereby requests reconsideration and allowance of the claims in view of the following arguments.

Regarding the rejection of claim 1, this claim has been amended to recite that the apparatus includes a plurality of ball transfer units mounted on the rotating support for supporting the cargo and for preventing the cargo from contacting the roller when the drive assembly is in the retracted position. These limitations were recited in original dependent claim 10, which has consequently been cancelled. No new matter has been added.

Neither of the cited references teaches or even suggests this feature of amended claim 1. Both Pritchard and Steadman fail to disclose the use of ball transfer units, or the use of rolling transfer units of any kind mounted on a rotating support, as claimed.

Since the cited references do not teach or suggest this feature of claim 1, any combination of Pritchard and Steadman, however made, would still be missing this claimed feature, and it would not have been obvious to add this feature to any Pritchard/Steadman combination to yield

the invention of amended claim 1. Likewise, to the extent the prior art made of record (but not relied upon in the Office Action) discloses the use of ball transfer units, it does not disclose ball transfer units mounted on a rotating support for supporting cargo and for preventing the cargo from contacting the roller of a drive assembly in its retracted position, as required by amended claim 1.

Consequently, amended claim 1 is patentable, as are claims 2, 3, and 11-48, which depend from claim 1.

Claims 4-9 have been objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. Claim 4 has been rewritten in independent form, including all the limitations of its base claim 1. Amended claim 4 is therefore now allowable, as are claims 5-9, which depend from claim 4.

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicant's attorney at the telephone number shown below.

Application No.: 10/555,093

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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